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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 SYLVESTER JAMES MAHONE,

11 Plaintiff,

12 v.

13 PAT MCCARTHY, PAUL PASTOR,
14 EDDIE PARKER, BALDEROMA,
MARVIN SPENCER, MARTHA KARR,
15 DANIELS, KATHY MILLER, CARN,

16 Defendants.

CASE NO. C14-5812 BHS-JRC

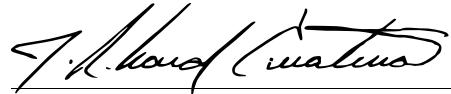
ORDER RE-NOTING PLAINTIFF'S
MOTION FOR APPOINTMENT OF
COUNSEL

17 The District Court has referred this 42 U.S.C. § 1983 civil rights action to United States
18 Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(A) and (B), and local
19 Magistrate Judge Rules MJR1, MJR3 and MJR4.

20 Currently before the Court is plaintiff's "ex-parte" motion for appointment of counsel
21 (Dkt. 6). Plaintiff filed his motion prior to any defendant appearing in the action. Because no
22 defendant had appeared, plaintiff he did not serve his motion on them. Accordingly, the Pierce
23 County Prosecutor's Office has not responded to this motion. The defendants' filed their notice
24 of appearance after plaintiff filed his motion (Dkt. 8).

1 The Court will not consider this motion for appointment of counsel as an ex-parte
2 motion. Defendants are entitled to the opportunity to respond. The Court re-notes plaintiff's
3 motion for appointment of counsel (Dkt. 6), for January 23, 2015. Defendants' response is due
4 on or before January 16, 2013.

5 Dated this 22nd day of December, 2014.

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8 J. Richard Creatura
9 United States Magistrate Judge
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